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Attorneys for Plaintiff,  
CITY OF OAKLAND

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CITY OF OAKLAND,

Plaintiff,

v.

ERIC HOLDER, Attorney General of the  
United States; and MELINDA HAAG,  
U.S. Attorney for the Northern District of  
California,

Defendants.

CASE NO. CV 12-5245 MEJ

Related Cases: No. CV 12-3566 MEJ  
No. CV 12-3567 MEJ

**PLAINTIFF CITY OF OAKLAND'S  
MAY 5, 2014 STATUS REPORT**

1 Plaintiff City of Oakland (“Oakland”) submits this Status Report regarding its appeal per  
2 the Court’s July 3, 2013 Order. (N.D. Cal. Dkt. 72)

3 **Oakland’s Appeal to the U.S. Court of Appeals for the Ninth Circuit, Case**  
4 **No. 13-15391**

5 As previously reported in Oakland’s January 3, 2014 Status Report (N.D. Cal. Dkt. 79)  
6 and March 3, 2014 Status Report (N.D. Cal. Dkt. 80), briefing for Oakland’s appeal of the  
7 District Court’s Order granting the Government’s Motion to Dismiss (N.D. Cal. Dkt. 53) is  
8 complete:

- 9 • Oakland filed its Opening Brief and Excerpts of Record on July 8, 2013. (9th Cir.  
10 Dkt. 21-1 through 21-6);
- 11 • Defendants Eric Holder, Attorney General of the United States, and Melinda Haag,  
12 United States Attorney for the Northern District of California (“DOJ”) filed their  
13 Answering Brief on September 6, 2013. (9th Cir. Dkt. 27); and
- 14 • Oakland filed its Reply Brief on October 21, 2013. (9th Cir. Dkt. 39).

15 In its Answering Brief, the DOJ sought to support the Court’s order dismissing the case by  
16 making additional arguments that the DOJ had not briefed below, including that Oakland lacks  
17 Article III and prudential standing. Oakland addressed these new arguments in its Reply Brief.

18 With briefing completed, the parties now await further order from the Court of Appeal.

19 Dated: May 5, 2014

Respectfully submitted,

DLA PIPER LLP (US)

OAKLAND CITY ATTORNEY

By: /s/ Cedric C. Chao

Cedric C. Chao

Attorneys for Plaintiff  
CITY OF OAKLAND